HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019

1	UNITED STATES DISTRICT COURT					
2	DISTRICT OF MINNESOTA					
3	x					
4	FAIR ISAAC CORPORATION, a Delaware					
5	corporation, Plaintiff,					
6	Case No. 16-cv-1054					
7	v.					
8	FEDERAL INSURANCE COMPANY, an					
9	Indiana corporation, and ACE AMERICAN INSURANCE COMPANY, a					
10	Pennsylvania corporation, Defendants.					
11	x					
12	8:30 a.m.					
13	January 18, 2019					
14	767 Third Avenue New York, New York					
15	* CONFIDENTIAL *					
16	DEPOSITION of TAMRA PAWLOSKI, a Plaintiff					
17	in the above entitled matter, pursuant to Notice,					
18	before Stephen J. Moore, a Registered Professional					
19	Reporter, Certified Realtime Reporter and Notary					
20	Public of the State of New York.					
21						
22	Job No. MP-204293					

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019 Pages 178..181

Page 178 1 Q And you understood at this time 2 that the pricing you were seeing was based on 3 the estimated U.S. revenue of the new company, 4 correct? 5 A Correct. 5 A Correct. 6 Q Not that you agreed with the 7 pricing, just that that's what the new U.S. 8 revenue was the basis for the pricing from 9 FICO's perspective? 10 A Correct. 11 Q And Chubb rejected this offer, 12 correct? 13 A Yes. 14 Q And why was that? 15 MR. FLEMINS: I'm going to object. 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 22 Why did Chubb reject this offer? 23 A Secuse once again, senior 24 Leadership felt that this was this locase 3 fee was still extremely high in comparison to 4 the investment already made with FICO. 25 Q Bid you believe that wholl, 26 Chubb's position in these business 27 nagetiations, it was not that Chubb didn't 28 think it needed to pay a new license fee at 29 all, did it? 20 So the problem with the 21 correct? 22 Correct? 23 No. there was was nithleady 24 A No. there was was nithleady 25 A Con you take your question again? 26 Chubb's position in these business 27 nagetiations, it was not that Chubb didn't 28 think it needed to pay a new license fee at 29 all, did it? 20 So the problem with the 21 correct? 22 Correct? 23 No. there was was nithleady 24 A No. was didn't. We had a hard 25 think it needed to pay a new license fee at 26 all and was a server of the problem with the model as well. 27 correct? 28 No. the redead to pay a new license fee at 29 all, did it? 20 So the sease and shouldn't was developed and an answered. 25 A No. we didn't. We had a hard 26 A No. regional was flawed, rather that Chubb 27 pricing model was flawed, rather that Chubb 28 A No. we didn't. We had a hard 29 already had a license and shouldn't be forced 29 already had a license are as a chouldn't be force		TAMRA PAWLOSKI	_	01/18/2019 Pages 178181
the estimated U.S. revenue of the new company, correct? A Correct. A Correct. B A Correct. C Not that you agreed with the pricing, just that that's what the new U.S. PRICO's perspective? A Correct. B C And Chubb rejected this offer, B C And Chubb rejected this offer, B C And Mny was that? A No. B C S O So the problem with this offer to the extent it requires disclosure of its attorney-client communications. C C A Can you ank your question again? A Secause once again, sentor Page 191 A So, there was we still had an issue wasn't that Chubb didn't A No, we had a problem with the think it needed to pay a new license fee at A No, we had a problem with the with the model was? A No, we didn't. We had a hard A No, we didn't. We had a hard A No, we didn't. We had a hard Time with that. A No, we didn't. We had a hard A No, we didn't. We had a	1		1	
4	2	that the pricing you were seeing was based on	2	questions.
5 A Correct. 6 Q Not that you agreed with the 7 pricing, just that that's what the new U.S. 8 revenue was the basis for the pricing from 9 FICO's perspective? 10 A Correct. 11 Q And Chubb rejected this offer, 12 correct? 13 A Yes. 14 Q And why was that? 15 MR. FLEMING: I'm going to object. 16 to the extent it requires disclosure of its attorney-client communications. 17 instead the history between the parties and because chubb thought it had already had a problem with the investment already made with FICO. 15 Q Did you believe that well, 16 Chubb's position in these business 17 negotiations, it was not that Chubb didn't at all, did it? 18 extent it calls for attorney-client communications, it was not that Chubb didn't disclose on the basis of privilege. 19 A No, we didn't. We had a hard the investment already made with FICO: 10 A Because once again, senior at think it needed to pay a new license fee at all think it need	3	the estimated U.S. revenue of the new company,	3	A Can you repeat that again?
Fage 179 Sout that you agreed with the pricing, just that that's what the new U.S. 7	4	correct?	4	Q Sure, I will try.
7 pricing, just that that's what the new U.S. 8 revenue was the basis for the pricing from 9 FIOO's perspective? 10 A Correct. 11 Q And Chubb rejected this offer, 12 correct? 13 this offer is well, I will ask it a 16 A Correct. 17 this offer because FICO bases its licensing 18 A Yes. 19 AN Was the reason Chubb rejected 19 this offer because FICO bases its licensing 19 A Yes. 10 A Yes. 11 Was the reason Chubb rejected 11 this offer because FICO bases its licensing 11 A No. 12 No. 13 figures on company revenue? 14 A No. 15 Q So the problem with this offer 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 19 should not disclose those. 20 A Can you sak your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 22 Why did Chubb reject this offer? 23 Page 179 24 A Because once again, senior 25 Leadership felt that this was this license 26 fee was still extremely high in comparison to 27 the investment already made with FICO. 28 A Did you believe that well, 29 Chubb had a problem with the 20 this offer lew, was, was, in this offer was, in the self of the problem with this offer was, in this offer was, in this pricing model. 29 Chubb's position in these business 20 A Control this offer? 21 A No, there was we still had an issue with this pricing model. 20 Chubb's position in these business 21 Correct? 22 Page 179 23 A No, there was we still had an issue with this pricing model. 24 Ultimate price, not necessarily the model, 25 Correct? 26 A No, we had a problem with the model was? 27 Republications, it was not that Chubb didn't the model was? 28 A No, we had a problem with the model was? 29 A No was didn't. We had a hard the problem with the model was? 20 A No, we had a problem with the problem with the model was? 21 Eactor of view wasn't the problem from the business perspective from the problem for the business perspective from the problem with the model was? 20 A Can you tell me what the problem	5	A Correct.	5	Chubb rejected this offer in
revenue was the basis for the pricing from FICO's perspective? A Correct. Q And Chubb rejected this offer, C And Why was that? C And the reason Chubb rejected this offer that this was not chapt. C And was the reason Chubb thought this defer is instead the history wasn't wasn't recall this offer that this wasn't wasn't	6	Q Not that you agreed with the	6	Exhibit 259, correct?
9 FICO's perspective? 10 A Correct. 11 Q And Chubb rejected this offer, 11 12 correct? 13 A Yes. 14 Q And why was that? 15 MR. FLEMING: I'm going to object 15 16 to the extent it requires disclosure of 16 17 its attorney-client communications. 18 Q Sure. 19 Sure. 19 A Because once again, senior 20 Why did Chubb reject this offer? 21 A Because once again, senior 21 A Because once again, senior 22 Will out believe that well, 15 23 A Because once again, senior 24 Chubb's position in these business 25 Roy Did you believe that well, 5 26 Chubb's position in these business 27 negotiations, it was not that Chubb didn't 5 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMINS: I object to the extent it calls for attorney-client communications. 17 correct? 18 A Because once again, senior 29 Did you believe that well, 5 correct? 20 Did you believe that well, 6 Chubb's position in these business 6 all, did it? 20 MR. FLEMINS: I object to the extent it calls for attorney-client 16 communications, which you should not 17 problem from the business perspective from 17 problem from the business perspective from 18 Chubb's point of view wasn't the 19 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 18 pricing model was flawed, rather that Chubb 19 were asked to pay double in not provided to pay an ewel icense of each 17 problem from the business perspective from 18 Chubb's point of view wasn't the 19 pricing model was flawed, rather that Chubb 19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we all privileged communications. 19 Page 181 10 A No, we had a problem with the model was? 10 Chubb's point of view wasn't the 19 problem from the business perspective from 19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we very a paying from when we originally purchased. 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased.	7	pricing, just that that's what the new U.S.	7	A Yes.
9 FICO's perspective? 10 A Correct. 11 Q And Chubb rejected this offer, 12 correct? 13 A Yes. 14 Q And why was that? 15 MR. FLEMING: I'm going to object 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 abould not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 23 A Because once again, senior 24 Leadership felt that this was this license 25 Q Did you believe that well, 26 Chubb's position in these business 27 negotiations, it was not that Chubb didn't 28 think it needed to pay a new license fee at 29 all, did it? 20 MR. FLEMING: I object to the 20 extent it calls for attorney-client 21 communications, which you should not 22 the with that. 23 correct? 24 Can you tall me what the problem 25 time with that. 26 Q So the issue wasn't the 27 problem from the business perspective from 28 chubb's point of view wasn't that FICO's 39 pricing model was flawed, rather that Chubb 40 already had a license and shouldn't be forced 41 to pay more, correct? 41 this offer is well, I will ask it a 41 different way. 42 this offer because FICO bases its licensing 41 figures on company revenue? 4 A No. 4 Page 191 4 A No. 4 Page 191 5 Page 179 6 A Because once again, senior 7 Page 191 6 A Because once again, senior 8 A No, there was we still had an 9 Chubb had a problem with the 10 License, right? 11 A No, there was we still had an 12 issue with this pricing model. 13 A No, there was we still had an 14 License, right? 15 A No, there was we still had an 15 A No, there was we still had an 16 Cubb's position in these business 17 No, we had a problem with the 18 Cubb's position in these business of privilege. 19 A No, we had a problem with the 10 Problem from the business perspective from 10 Problem from the business perspective from 11 Cubb's point of view wasn't the 12 Problem from the business perspective from 13 Problem from the busine	8	revenue was the basis for the pricing from	8	Q And the reason Chubb rejected
10 A Correct. 11 Q And Chubb rejected this offer, 12 correct? 13 A Yes. 14 Q And why was that? 15 MR. FLEMING: I'm going to object 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 24 Page 179 25 A Because once again, senior 26 Leadership felt that this was this license of fer insulative for the investment already made with FICO. 27 Page 179 28 G Chubb's position in these business one positions, it was not that Chubb didn't to all, did it? 28 MR. FLEMING: I object to the extent it calls for attorney-client communications, which you should not disclose on the basis of privilege. 19 A No, we didn't. We had a hard the problem of the wash't that PICO's pricing model. A No. 29 So the problem with this offer wasn't FICO's pricing models, it was not that Chubb didn't all for attorney-client communications, which you should not disclose on the basis of privilege. 29 A No, we didn't. We had a hard the problem of the wasn't that FICO's pricing model was flawed, rather that Chubb disclose on the vivilege you the privilege communications. 20 Can you tell me what the problem with the model was? 21 Can you tell me what the problem of the wasn't that FICO's pricing model was flawed, rather that Chubb disclose on the vivilege communications. 20 Can you tell me what the global revenue, it's \$14 billion at an estimate of \$11 problem from the business perspective from the privilege communications. 22 Can you tell me what the global revenue, it's \$14 billion at an estimate of \$11 pricing model was flawed, rather that Chubb disclose on the vivilege wasn't that FICO's pricing model was flawed, rather that Chubb disclose on one object to the wasn't wasn't that FICO's pricing model was flawed, rather that Chubb disclose on the vivilege to the pricing model was flawed, rather that Chubb disclose on the pricing model was flawed, rather that Chubb disc	9		9	this offer is well, I will ask it a
11 Q And Chubb rejected this offer, 2 this offer because FICO bases its licensing 12 correct? 12 this offer because FICO bases its licensing 13 figures on company revenue? 14 A No. 15 Q So the problem with this offer 15 Q So the problem with this offer 16 to the extent it requires disclosure of 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 19 should not disclose those. 19 license, right? 19 A Can you ask your question again? 20 MR. FLEMING: Objection, multiple questions and misstates her prior 21 questions and misstates her prior 22 testimony. 20 Page 181 A No. there was we still had an 2 issue with this pricing model. 21 questions and misstates her prior 22 testimony. 21 questions and misstates her prior 22 testimony. 22 Testimony. 23 Q Chubb had a problem with the 24 the investment already made with FICO. 24 think it needed to pay a new license fee at 25 and 16 disclose on the basis of privilege. 25 time with that. 26 Q So the issue wasn't the 26 Q So the issue wasn't that FICO's 26 the 27 pricing model. 27 wasn't FICO's 27 pricing models was flawed. A no. No. there wasn't FICO's 26 the 27 questions and misstates her prior 28 testimony. 20 Page 181 A No. there was we still had an 28 issue with this pricing model. 28 correct? 20 Chubb's position in these business 20 Chubb thought it had already had a 12 correct? 21 sissue with this pricing model. 20 Chubb's position, multiple questions and misstates her prior 20 Q Chubb had a problem with the 20 Chubb's position in these business 20 Chubb in and an estimate of \$11 problem from the business perspective from 21 problem from the business perspective from 22 testimony. 21 problem from the business perspective from 23 problem from the business perspective from 24 problem from the business perspective from 25 pricing model was flawed, rather that Chubb 26 already had a license and shouldn't be forced 27 were asked to pay double if not triple what we 27 already	10		10	
12 correct? 13 A Yes. 14 Q And why was that? 15 MR. FLEMING: I'm going to object 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 23 Page 179 24 A Because once again, senior 25 fee was still extremely high in comparison to 26 the investment already made with FICO. 27 Did you believe that well, 28 Chubb's position in these business 29 negotiations, it was not that Chubb didn't 29 this offer because FICO bases its licensing 20 A No. 21 Q Sure. 22 Why did Chubb reject in soffer? 23 cleadership felt that this was this license 24 issue with this pricing model, was we still had an incomparison to 25 Q Did you believe that well, 26 Chubb's position in these business 27 negotiations, it was not that Chubb didn't 28 think it needed to pay a new license fee at all, did it? 29 all, did it? 20 MR. FLEMING: I object to the 21 extent it calls for attorney-client communications, which you should not disclose on the basis of privilege. 29 A No, we didn't. We had a hard the with that. 20 A No, we didn't. We had a hard the problem with that. 21 Combb's point of view wasn't the problem from the business perspective from proing model was flawed, rather that Chubb all revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 million. 20 A Can you tall me what the global revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 million. 21 Londy had a license and shouldn't be forced already had a license and shouldn't be forced already had a license and shouldn't be forced already madel was flawed, rather that Chubb already had a license and shouldn't be forced already more, correct? 22 to pay more, correct? 23 to pay more, correct? 24 this offer beasn't +- wasn't Fico's pricing model was that? 25 this offer beasn't +- wasn't FICO's pricing model was flawed, rather that Chubb already had a license and shouldn't be forced	11	Q And Chubb rejected this offer,	11	
13 A Yes. 14 Q And why was that? 15 MR. FLEMING: I'm going to object 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 24 Page 179 1 A Because once again, senior 2 leadership felt that this was this license 3 fee was still extremely high in comparison to 4 the investment already made with FICO. 5 Q Did you believe that well, 6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No. 15 Wasn't wasn't FICO's pricing models, it was 16 instead the history between the parties and 18 because Chubb thought it had already had a 11 ileanse, right? 20 MR. FLEMING: Objection, multiple 21 questions and misstates her prior 22 testimony. 21 Page 179 22 Testimony. 22 Testimony. 23 Page 181 24 A No, there was we still had an 25 issue with this pricing model. 26 Chubb had a problem with the 27 ileanse, right? 28 MR. FLEMING: Objection, multiple 29 chubb had a problem with the 20 Chubb had a problem with the 20 Chubb had a problem with the 20 So the issue wasn't Chubb didn't 21 Occurrent? 22 MR. FLEMING: Objection, multiple 24 A No, there was we still had an 25 issue with this pricing model. 26 Chubb had a problem with the 27 been asked and answered. 28 A No, we had a problem with the 29 Can you tell me what the problem 29 With the model was? 20 Can you tell me what the problem 20 A No, we didn't. We had a hard 21 Page 181 22 Chubb's point of view wasn't the 28 A No, we didn't. We had a hard 29 A No, we didn't. We had a hard 20 A No, we didn't. We had a hard 21 Page 181 22 Chubb's point of view wasn't that FICO's 29 Can you tell me what the problem 29 With the model was? 20 Can you tell me	12	•	12	·
14 Q And why was that? 15 MR. FLEMING: I'm going to object 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 24 A Because once again, senior 25 A Because once again, senior 26 Leadership felt that this was this license 27 A Because once again, senior 28 Leadership felt that this was this license 29 A Because with FICO. 20 Did you believe that well, 21 C Did you believe that well, 22 C Did you believe that well, 23 Fee was still extremely high in comparison to 24 the investment already made with FICO. 25 Q Did you believe that well, 26 Chubb's position in these business 27 negotiations, it was not that Chubb didn't 28 think it needed to pay a new license fee at 29 all, did it? 20 MR. FLEMING: I object to the 20 all as well. 21 Can you tell me what the problem 22 with this pricing model, was privileged. 23 Can you tell me what the problem 24 with the model was? 25 Can you tell me what the problem 26 So the issue wasn't the 27 problem from the business perspective from 28 Chubb's point of view wasn't that FICO's 29 Toubb's point of view wasn't that FICO's 30 A Ran you ask your questions and mistates her prior 31 A No, there was we still had an 31 issue with this pricing model. 31 A No, there was we still had an 32 issue with this pricing model. 32 C Chubb had a problem with the 33 Q Chubb had a problem with the 34 No, we had a problem with the 35 MR. FLEMING: Objection, that's 36 been asked and answered. 37 ho, we had a problem with the 38 with this pricing model. 39 Q Can you tell me what the problem 30 with the model was? 31 Provileged communications. 30 A If you take a look at the global revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 million. 39 Problem from the business perspective from 30 Chubb's point of view wasn't that FICO's 31 Provileged communication	13	A Yes.	13	
15 MR. FLEMING: I'm going to object 16 to the extent it requires disclosure of 17 its attorney-client communications. 18 On the basis of privilege you 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 23 Why did Chubb reject this offer? 24 Page 179 25 A Because once again, senior 26 leadership felt that this was this license fee as still extremely high in comparison to the investment already made with FICO. 20 Did you believe that well, 21 Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? 20 MR. FLEMING: Objection, multiple questions and misstates her prior testimony. Page 179 20 A No, there was we still had an issue with this pricing model. 21 a No, there was we still had an issue with this pricing model. 22 correct? A No, there was we still had an issue with this pricing model. 3 Q Chubb had a problem with the ultimate price, not necessarily the model, correct? A No, we had a problem with the model as well. 5 Deen asked and answered. A No, we had a problem with the model as well. 9 Q Can you tell me what the problem with the model was? 10 WR. FLEMING: I object to the disclose on the basis of privilege. 11 A No, we didn't. We had a hard the problem with that. 12 Q So the issue wasn't the problem from the business perspective from the business perspective from the Dusiness pers				
to the extent it requires disclosure of its attorney-client communications. On the basis of privilege you should not disclose those. A Can you ask your question again? Q Sure. Page 179 A Because once again, senior leadership felt that this was this license fee was still extremely high in comparison to the investment already made with FICO. Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? MR. FLEMING: Objection, multiple questions and misstates her prior testimony. Page 179 A Because once again, senior leadership felt that this was this license fee was still extremely high in comparison to the investment already made with FICO. Q Did you believe that well, correct? Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? MR. FLEMING: I object to the leadership felt communications, which you should not disclose on the basis of privilege. A No, we didn't. We had a hard time with that. Q So the issue wasn't the problem from the business perspective from the Dusiness persp				
17 instead the history between the parties and 18 On the basis of privilege you 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 23 Page 179 24 A Because once again, senior 25 leadership felt that this was this license 26 Q Did you believe that well, 27 Chubb's position in these business 28 negotiations, it was not that Chubb didn't 29 all, did it? 20 MR. FLEMING: Objection, multiple 21 Q Sure. 22 Page 179 23 A No, there was we still had an issue with this pricing model. 24 Ultimate price, not necessarily the model, 25 Correct? 26 Chubb's position in these business 27 negotiations, it was not that Chubb didn't 28 think it needed to pay a new license fee at 39 Q Chubb had a problem with the model as well. 30 Q Can you tell me what the problem 31 with the model was? 40 Did you believe that well, 41 Communications, which you should not disclose on the basis of privilege. 42 In problem from the business perspective from 43 Chubb's point of view wasn't that FICO's 44 In privileged communications. 45 If you take a look at the global revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 million. 46 Chubb's point of view wasn't that FICO's 47 Page 181 48 No, there was we still had an issue with this pricing model with the ultimate price, not necessarily the model, correct? 49 Chubb had a problem with the model as well. 50 Q Can you tell me what the problem with the model as well. 51 with the model was? 52 Page 181 53 A No, we had a problem with the model as well. 54 A No, we had a problem with the model as well. 55 A If you take a look at the global revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 million. 56 Chubb's point of view wasn't that FICO's 57 Page 181 58 A No, there was we still had an issue with this pricing model was flawed, rather that Chubb were asked to pay double if not triple what we were paying from when we originally purchased. 58 Page 181 59 A No, there was we still had an issue wi				•
18 On the basis of privilege you should not disclose those. 19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 23 Page 179 24 Page 179 25 Page 179 26 A Because once again, senior 20 Page 181 27 Page 181 28 Page 189 29 Page 189 20 A No, there was we still had an issue with this pricing model. 29 Page 181 20 Page 189 21 A No, there was we still had an issue with this pricing model. 20 Page 180 21 Page 180 22 Page 180 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20 Page 181 21 Page 181 22 Page 181 23 Page 181 24 Page 181 24 Page 181 25 Page 181 26 Page 181 27 Page 181 28 Page 181 29 Page 181 20				
19 should not disclose those. 20 A Can you ask your question again? 21 Q Sure. 22 Why did Chubb reject this offer? 23 Page 179 1 A Because once again, senior 24 leadership felt that this was this license 25 fee was still extremely high in comparison to 26 the investment already made with FICO. 27 Chubb's position in these business 28 negotiations, it was not that Chubb didn't 29 think it needed to pay a new license fee at 29 all, did it? 20 Can you tell me what the problem 20 Can you tell me what the problem 21 extent it calls for attorney-client 22 testimony. 23 Q chubb had a problem with the 24 ultimate price, not necessarily the model, 25 correct? 26 MR. FLEMING: Objection, multiple 27 questions and misstates her prior 28 testimony. 29 Page 181 20 A No, there was we still had an 29 Chubb had a problem with the 30 Q Chubb had a problem with the 40 ultimate price, not necessarily the model, 50 correct? 51 Deen asked and answered. 52 A No, we had a problem with the 53 model as well. 54 A No, we had a problem with the 55 model as well. 56 Q Can you tell me what the problem 57 with the model was? 58 Extent it calls for attorney-client 59 problem from the business perspective from 50 Q So the issue wasn't the 51 problem from the business perspective from 51 problem from the business perspective from 52 Page 181 53 A No, there was we still had an 54 Unit mate price, not necessarily the model, 55 Correct? 66 MR. FLEMING: Objection, multiple 67 Q Chubb had a problem with the 68 ultimate price, not necessarily the model. 69 MR. FLEMING: Objection, multiple 60 Q Can you tell me what the problem 61 with the model was? 61 Page 181 62 Page 181 63 No, we had a problem with the 64 ultimate price, not necessarily the model, 65 Page 181 66 Page 181 67 Page 181 68 No, we had a problem with the 69 model as well. 60 Page 181 61 Page 181 62 Page 181 63 No, we had a problem with the 64 ultimate price, not necessarily the model, 65 Page 181 66 Pa		-		•
A Can you ask your question again? Q Sure. Page 179 A Because once again, senior leadership felt that this was this license fee was still extremely high in comparison to the investment already made with FICO. Q Did you believe that well, Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? MR. FLEMING: Objection, multiple questions and misstates her prior testimony. Page 181 A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? MR. FLEMING: Objection, that's been asked and answered. A No, we had a problem with the model as well. Q Can you tell me what the problem with the model was? MR. FLEMING: I object to the communications, which you should not disclose on the basis of privilege. A No, we didn't. We had a hard A No, we didn't. We had a hard time with that. Q So the issue wasn't the problem from the business perspective from Chubb's point of view wasn't that FICO's pricing model was flawed, rather that Chubb already had a license and shouldn't be forced to pay more, correct?				
Q Sure. Why did Chubb reject this offer? Page 179 A Because once again, senior leadership felt that this was this license fee was still extremely high in comparison to the investment already made with FICO. Q Did you believe that well, Chubb's position in these business negotiations, it was not that Chubb didn't shink it needed to pay a new license fee at all, did it? MR. FLEMING: I object to the extent it calls for attorney-client communications, which you should not disclose on the basis of privilege. A No, we didn't. We had a hard time with that. Q So the issue wasn't the problem from the business perspective from Chubb's point of view wasn't that FICO's pricing model was flawed, rather that Chubb already had a license and shouldn't be forced to pay more, correct?				•
Page 179 A Because once again, senior leadership felt that this was this license fee was still extremely high in comparison to the investment already made with FICO. Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? MR. FLEMING: I object to the communications, which you should not disclose on the basis of privilege. A No, we didn't. We had a hard time with that. Q So the issue wasn't the problem from the business perspective from Chubb's point of view wasn't that FICO's pricing model was flawed, rather that Chubb a A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, we had a problem with the ultimate price, not necessarily the model, correct? MR. FLEMING: Objection, that's been asked and answered. A No, we had a problem with the ultimate price, not necessarily the model, correct? MR. FLEMING: Objection the sake and answered. A No, we had a problem with the ultimate price, not necessarily the model, correct? MR. FLEMING: Objection the sake and swell. Q Can you tell me what the problem with the model as well. Q Can you tell me what the problem is the model as well. Q Can you tell me what the problem is the model as well. A No, we didn't. A No, we didn't. A No, we didn't. A No we didn't. B A If you take a look at the global revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 mill				
Page 179 1 A Because once again, senior 2 leadership felt that this was this license 3 fee was still extremely high in comparison to 4 the investment already made with FICO. 5 Q Did you believe that well, 6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 9 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 1 A No, there was we still had an 2 issue with this pricing model. 3 Q Chubb had a problem with the 2 issue with this pricing model. 3 Q Chubb had a problem with the 2 discusse ont had a problem with the 3 Q Chubb had a problem with the 4 ultimate price, not necessarily the model, 5 correct? 6 MR. FLEMING: Objection, that's 7 been asked and answered. 8 A No, we had a problem with the 9 model as well. 9 Can you tell me what the problem 10 With the model was? 11 Wash the model was? 12 Extent it calls for attorney-client 13 privileged communications. 14 A If you take a look at the global 15 revenue, it's \$14 billion at an estimate of \$11 billion for \$2.4 million. 16 Chubb's point of view wasn't that FICO's 18 In 2016 it was 20, but yet we were asked to pay double if not triple what we were paying from when we originally purchased. 20 Wash and a license and shouldn't be forced 21 to pay more, correct? 21 So, the calculation of how they		-		
A Because once again, senior leadership felt that this was this license fee was still extremely high in comparison to the investment already made with FICO. Q Did you believe that well, Chubb's position in these business negotiations, it was not that Chubb didn't think it needed to pay a new license fee at all, did it? MR. FLEMING: I object to the extent it calls for attorney-client communications, which you should not disclose on the basis of privilege. A No, we didn't. We had a hard time with that. Q So the issue wasn't the problem from the business perspective from Chubb's point of view wasn't that FICO's pricing model was flawed, rather that Chubb already had a license and shouldn't be forced to pay more, correct? A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, there was we still had an issue with this pricing model. A No, we had a problem with the ultimate price, not necessarily the model, correct? MR. FLEMING: Objection, that's been asked and answered. A No, we had a problem with the model as well. P Q Can you tell me what the problem with the model was? A No, we had a problem with the model as well. A No, there was we still had an litimate price, not necessarily the model, correct? Chubb's point of view and that Chubb of the was and answered. A No, we had a problem with the ultimate price, not necessarily the model, correct? A No, we had a problem with the with the model was? A No, we had a problem with the A No, we had a problem with the A No, we	22	why did Chubb reject this offer?	22	testimony.
2 leadership felt that this was this license 3 fee was still extremely high in comparison to 4 the investment already made with FICO. 5 Q Did you believe that well, 6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 issue with this pricing model. 3 Q Chubb had a problem with the 4 ultimate price, not necessarily the model. 5 correct? 6 MR. FLEMING: Objection, that's 6 MR. FLEMING: Objection, that's 7 been asked and answered. 8 A No, we had a problem with the 9 model as well. 10 Q Can you tell me what the problem 11 with the model was? 12 extent it calls for attorney-client 13 extent it calls for attorney-client 14 privileged communications. 15 A If you take a look at the global 16 revenue, it's \$14 billion at an estimate of \$11 17 billion for \$2.4 million. 18 Union for \$2.4 million. 19 were asked to pay double if not triple what we were paying from when we originally purchased. 20 to pay more, correct? 21 So, the calculation of how they	1		1	
3 fee was still extremely high in comparison to 4 the investment already made with FICO. 5 Q Did you believe that well, 6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 3 Q Chubb had a problem with the 4 ultimate price, not necessarily the model, 5 correct? 6 MR. FLEMING: Objection, that's 6 MR. FLEMING: Objection, that's 7 been asked and answered. 8 A No, we had a problem with the 9 model as well. 10 Q Can you tell me what the problem 11 with the model was? 12 extent it calls for attorney-client 13 privileged communications. 14 privileged communications. 15 A If you take a look at the global 16 revenue, it's \$14 billion at an estimate of \$11 17 billion for \$2.4 million. 18 In 2016 it was 20, but yet we 19 were asked to pay double if not triple what we 20 were paying from when we originally purchased. 21 So, the calculation of how they				
4 the investment already made with FICO. 5 Q Did you believe that well, 6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 4 ultimate price, not necessarily the model, 5 correct? 6 MR. FLEMING: Objection, that's 6 MR. FLEMING: Objection, that's 7 been asked and answered. 8 A No, we had a problem with the 9 model as well. 10 Q Can you tell me what the problem 11 with the model was? 12 Extent it calls for attorney-client 13 extent it calls for attorney-client 14 privileged communications. 15 A If you take a look at the global 16 revenue, it's \$14 billion at an estimate of \$11 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 were asked to pay double if not triple what we 20 were paying from when we originally purchased. 21 So, the calculation of how they		•		
5 Q Did you believe that well, 6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 5 correct? 6 MR. FLEMING: Objection, that's 7 been asked and answered. 8 A No, we had a problem with the 9 model as well. 10 Q Can you tell me what the problem 11 with the model was? 12 extent it calls for attorney-client 13 extent it calls for attorney-client 14 privileged communications. 15 A If you take a look at the global 16 revenue, it's \$14 billion at an estimate of \$11 17 billion for \$2.4 million. 18 In 2016 it was 20, but yet we 19 were asked to pay double if not triple what we 20 were paying from when we originally purchased. 21 So, the calculation of how they				
6 Chubb's position in these business 7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 9 model as well. 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 6 MR. FLEMING: Objection, that's 7 been asked and answered. 8 A No, we had a problem with the 9 model as well. 10 Q Can you tell me what the problem 11 with the model was? 12 extent it calls for attorney-client 13 extent it calls for attorney-client 14 privileged communications. 15 A If you take a look at the global 16 revenue, it's \$14 billion at an estimate of \$11 17 billion for \$2.4 million. 18 In 2016 it was 20, but yet we 19 were asked to pay double if not triple what we 20 were paying from when we originally purchased. 21 So, the calculation of how they		•		
7 negotiations, it was not that Chubb didn't 8 think it needed to pay a new license fee at 9 all, did it? 9 model as well. 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 21 So, the calculation of how they				
8 think it needed to pay a new license fee at 9 all, did it? 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 22 No, we had a problem with the 22 Can you tell me what the problem 23 with the model was? 24 with the model was? 25 MR. FLEMING: I object to the 26 extent it calls for attorney-client 27 privileged communications. 28 A No, we had a problem with the 29 model as well. 29 20 Can you tell me what the problem 20 extent it calls for attorney-client 20 privileged communications. 21 In 2016 it was 20, but yet we 22 were asked to pay double if not triple what we 23 were paying from when we originally purchased. 24 So, the calculation of how they		-		·
9 model as well. 10 MR. FLEMING: I object to the 11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 9 model as well. 10 Q Can you tell me what the problem with the model was? 12 with the model was? 12 Extent it calls for attorney-client 13 extent it calls for attorney-client 14 privileged communications. 15 A If you take a look at the global 16 revenue, it's \$14 billion at an estimate of \$11 17 billion for \$2.4 million. 18 In 2016 it was 20, but yet we 19 were asked to pay double if not triple what we 20 were paying from when we originally purchased. 21 to pay more, correct? 21 So, the calculation of how they		ANTE SECURIT CONTRACTOR CONTRACTO		
MR. FLEMING: I object to the extent it calls for attorney-client communications, which you should not disclose on the basis of privilege. A No, we didn't. We had a hard time with that. Q So the issue wasn't the problem from the business perspective from Chubb's point of view wasn't that FICO's pricing model was flawed, rather that Chubb already had a license and shouldn't be forced tunning to the problem wasn with the problem MR. FLEMING: I object to the extent it calls for attorney-client privileged communications. A If you take a look at the global revenue, it's \$14 billion at an estimate of \$11 problem from the business perspective from pricing model was flawed, rather that Chubb series and shouldn't be forced were paying from when we originally purchased. So, the calculation of how they				•
11 extent it calls for attorney-client 12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 21 with the model was? 12 MR. FLEMING: I object to the 22 extent it calls for attorney-client 23 privileged communications. 24 privileged communications. 25 A If you take a look at the global 26 revenue, it's \$14 billion at an estimate of \$11 27 billion for \$2.4 million. 28 In 2016 it was 20, but yet we 29 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 So, the calculation of how they				
12 communications, which you should not 13 disclose on the basis of privilege. 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 21 MR. FLEMING: I object to the 22 extent it calls for attorney-client 23 privileged communications. 24 privileged communications. 25 A If you take a look at the global 26 revenue, it's \$14 billion at an estimate of \$11 27 billion for \$2.4 million. 28 In 2016 it was 20, but yet we 29 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 So, the calculation of how they				
disclose on the basis of privilege. 13 extent it calls for attorney-client 14 A No, we didn't. We had a hard 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 21 So, the calculation of how they				
A No, we didn't. We had a hard 14 privileged communications. 15 time with that. 16 Q So the issue wasn't the 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 21 So, the calculation of how they		*		·
15 time with that. 16 Q So the issue wasn't the 16 problem from the business perspective from 17 billion for \$2.4 million. 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 20 already had a license and shouldn't be forced 21 to pay more, correct? 15 A If you take a look at the global 26 revenue, it's \$14 billion at an estimate of \$11 27 billion for \$2.4 million. 28 In 2016 it was 20, but yet we 29 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 So, the calculation of how they	1000			•
16 Q So the issue wasn't the 16 revenue, it's \$14 billion at an estimate of \$11 17 problem from the business perspective from 18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 to pay more, correct? 21 So, the calculation of how they				
problem from the business perspective from 17 billion for \$2.4 million. 18 Chubb's point of view wasn't that FICO's 18 In 2016 it was 20, but yet we 19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 So, the calculation of how they				•
18 Chubb's point of view wasn't that FICO's 19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 to pay more, correct? 21 So, the calculation of how they				
19 pricing model was flawed, rather that Chubb 19 were asked to pay double if not triple what we 20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 to pay more, correct? 21 So, the calculation of how they		1		
20 already had a license and shouldn't be forced 20 were paying from when we originally purchased. 21 to pay more, correct? 21 So, the calculation of how they				
21 to pay more, correct? 21 So, the calculation of how they				
MR. FLEMING: I object, misstates 22 came to 20, that was not disclosed, just that		to pay more, correct?	21	So, the calculation of how they

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019 Pages 182..185

	TAINA LAMIODIO	_	01/10/2017 rages 102103
1	Page 182 the revenue was the basis.	1	Page 184 Q In what way?
2	Q I am handing you what's been	2	A So, in 2011 I was part of a
3	marked as Exhibit 260.	3	negotiation with the SOW on work where FICO
4	(The above described document was	4	were sending two employees over to assist us
5	marked Exhibit 260 for identification as	5	with an assessment and implementation of Blaze
6	of this date.)	6	in our London office.
7	Q Are you familiar with this	7	And so that was the first time
8	e-mail?	8	I've had discussions with FICO on the
9	A Yes.	9	international part.
10	Q In this e-mail, Henry you	10	Because we, as the other SOWs
11	e-mailed Henry Mirolyuz on March 14, 2016,	11	that we had gone through, same thing, I had to
12	"Henry, have any proof that FICO knew we	12	look at the requirements and all of that from
13	deployed Blaze Advisor internationally?"	13	that perspective.
14	Why did you ask Henry that	14	And then the next time we
15	question?	15	brought it up was during the discussions of
16	A That was based upon	16	what products were using Blaze, after the
17	attorney-client privilege.	17	February 2016 letter.
18	Q And what was Mr. Mirolyuz'	18	Q And the February 2016 letter you
19	answer?	19	are referring to is from whom to whom?
20	A I don't recall, actually.	20	A There was a letter to our
21	MR. FLEMING: To be clear, you	21	general counsel, the general counsel at ACE,
22	are asking her why she asked the	22	and documenting, and I can't remember the
			3,
1	Page 183 question, not whether she had knowledge	1	Page 185 specifics.
2	of FICO deploying Blaze internationally,	2	Q I am handing you what has been
3	correct?	3	marked as Exhibit 261.
4	MS. KLIEBENSTEIN: Correct, and	4	(The above described document was
5	then	5	marked Exhibit 261 for identification, as
6	Q Was there any response from	6	of this date.)
7	Mr. Mirolyuz?	7	Q Are you familiar with this
8	A We had several discussions on	8	e-mail and its attachment?
9	several points with FICO, and I don't recall	9	A I am.
10	this specific his specific response to this.	10	Q Was this your response to the
11	Q And you asked him this question	11	FICO offer in Exhibit 259?
12	because legal asked you to ask him this	12	A Yes.
13	question?	13	Q To be clear, it's the attachment
14	A Correct.	14	that's Chubb's response?
15	Q So you didn't ask him this	15	A That's correct.
16	question for purposes of the business	16	Q Okay, now let's move to the
17	negotiations that were going on?	17	attachment.
18	A No.	18	Can you walk me through the
19	Q When you were talking with FICO	19	different rows and columns to explain the
20	personnel, did international use of Blaze	20	methodology used by Chubb in this response?
21	Advisor ever come up?	21	Let me ask a predicate question.
22	A Yes.	22	A Sure.
22		22	

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019 Pages 186..189

	TAMRA PAWLOSK	1 -	01/18/2019 Pages 186189
1	Q You were responding to the	1	Page 188 revised numbers based upon the change from 11.2
2	option 1 offer, correct, not the option 2	2	to 9.56, and that's what the \$2 million
3	offer?	3	represents.
4	A That's correct.	4	Likewise for deployment; took
5	Q So this was responding to option	5	the same methodology, and therefore kind of
6	1 for a North American enterprise license,	6	went down and used that same.
7	correct?	7	Now all you're doing is adding
8	A This was our response to an	8	the two, so the 2, 3 and then the discount that
9	enterprise license.	9	was applied gave us the total of 1.2, and so
10	Q Restricted geographically at	10	therefore we overpaid our license, the original
11	all?	11	license when we originally purchased it, back
12	A We incorporated in the two	12	in 2006 based upon this.
13	non-U.S. deployments, so it did open it up from	13	Because well and so there
14	just in North America.	14	should have and then we overpaid the license
15	Q Okay, but the proposal on the	15	as well as overpaid the maintenance.
16	table was a that's being discussed in	16	Q Let me ask you a couple of
17	Exhibit 261 is enterprise for the U.S. and two	17	questions on that.
18	non-U.S. deployments?	18	A Sure.
19	A Yes, it is in response to option	19	Q So U.S. revenue went what
20	number 1 of 557, Exhibit 557.	20	FICO used in the 2006 negotiations was \$11.2
21	Q Just so we're clear, deployment	21	billion?
22	in this context, that word means the same as we	22	A Correct.
1	Page 187 discussed before?	1	Page 189 Q And then the revised numbers,
2	A It does.	2	you went back and looked at the actuals, and it
3	Q Okay, now we are ready. Walk me	3	was \$9.56 billion?
4	through the Chubb counteroffer.	4	A Yes.
5	A There were several individuals	5	Q And so when you go down to
6	who had input into this, so although I	6	deployment and development, you shrank those
7	responded to Bill Waid, so I will walk through	7	numbers by the same percentage? Am I
8	it as I can recall, as best as I can recall.	8	understanding that right?
9	So we took a look at what the	9	A The allocated percent, like a
10	revised numbers were for 2006, because when we	10	formula.
11	looked at the 2006 numbers that were initially	11	Q So essentially 9.56 is about
12	here, those numbers were actually the current	12	8/10 of 11.2, right, so the deployment number
13	before the acquisition.	13	that you provided went down by that same
14	They weren't actually the 2006	14	percentage?
15	revenue or gross and premium numbers, so that's	15	A Right.
16	what the revised numbers up above were for.	16	Q So that's how that was.
17	And so we went back to validate	17	The development figure, that
7.0	what that was, and that's why you'll see the	18	also went down by the same percentage, correct?
18	3, 66	19	A That's correct.
18	difference from a so the first three lines		
	represents the estimated U.S. revenues versus	20	Q And then the overpayment of
19			Q And then the overpayment of maintenance, how was that calculated?

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019 Pages 230..233

1	Page 230 3:35 p.m. and we are going off the	1	Page 232 discussed relating to Australia with Russ
2	record.	2	Hodey.
3	(At this point in the proceedings	3	Were those the e-mails at
4	there was a recess, after which the	4	Exhibits 268 and 269?
5	deposition continued as follows:)	5	A No, they were the ones in an
6	THE VIDEOGRAPHER: This is the	6	earlier, that we did hold on a second, I
7	start of media labeled number 6. The	7	think it was Exhibit 244.
8	time now is 3:43 p.m. and we are back on	8	And what is he asking? Not 244,
9	the record.	9	I'm sorry. It was 241 and 243.
10	Q So, you mentioned a few times	10	Q So I note your in Exhibit 241
11	that after February or March of 2016 in the	11	your response was that the license was not
12	negotiations with FICO that it went up the	12	worldwide, correct?
13	chain to senior leadership.	13	A Yes, but then shortly after, as
14	Who were the people that you are	14	stated, that was corrected.
15	referring to in that senior leadership group?	15	Q An it was corrected by Mark?
16	A Bill Harlam, Rob Hilgan, Kevin	16	A Berthume.
17	Shirran and Andrew Hopp.	17	MS. KLIEBENSTEIN: All right. No
18	Q Andrew Hopp is the general	18	further questions.
19	counsel, is that correct?	19	MR. FLEMING: I have just a
20	A That's correct.	20	couple of follow-up relating to Exhibit
21	Q Bill Harlam was the CIO?	21	260.
22	A No, Bill was my boss, he was the	22	
	Page 231		Page 233
1	head of vendor management.	1	EXAMINATION BY
2	Q Who is Rob Hilgan?	2	MR. FLEMING:
3	A Rob Hilgan was Bill's boss.	3	
4	Q What was his role?	4	Q My question
5	A Operations.	5	MS. KLIEBENSTEIN: Hold on just a
6	Q Chief of operations?	6	second. Let me see 260, please.
7	A Yeah no, he wasn't the Chief	7	Q What knowledge do you have that
8	Operating Officer, he just had IT operations.	8	FICO knew that Chubb deployed Blaze in the
9	Q And Kevin Shirran, who was that	9	United Kingdom?
10	and what was his role?	10	A I worked on a statement of work
11	A Officially our CIO, global CIO.	11	with where two of the consultants from FICO
12	Q Now, when we were looking at	12	were sent to the U.K. to install and to do an
13	Exhibit the very last exhibit with the CHear	13	assessment and then an installation of the FICO
14	report, we were talking about the Blaze Advisor	14	product, Blaze product.
15	being approved for use in Evolution and Russ	15	Q And who prepared the statement
16	Hodey was the IT application contact.	16	of work?
17	Do you recall that?	17	A It was joint between the
18	A Yes.	18	business partner, myself and FICO.
19	I'm sorry, here we go.	19	Q And who at FICO was working on
20	Q I wanted to cross-reference that	20	this?
21	to other exhibits. You mentioned that it	21	A I know it wasn't Mike Sawyer,
22	probably related to the e-mails we had already	22	because he wasn't there at the time, I don't

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019 Pages 234..237

	TAMRA PAWLOSKI	_	01/18/2019 Pages 234237
1	Page 234 believe.	1	$$\operatorname{\textsc{Page}}$$ 236 wanted to make sure that we were putting FICO
2	I don't recall who the one of	2	in correctly, so, the assessment and
3	the salesmen.	3	installation.
4	Q Is it Russ Schreiber?	4	Q And what was your understanding
5	A Yes.	5	as to what they installed?
6	Q Did you have any discussions	6	A It was clear that was it was
7	with Russ Schreiber as to whether use of Blaze	7	the Blaze Advisor product.
8	by Chubb in the United Kingdom was permissible	8	Q Where was it installed?
9	under the agreement?	9	A In the U.K. data center on, I
10	A No, because I wouldn't have	10	believe our mainframe in the U.K.
11	thought they would send consultants there if it	11	Q At any point during that process
12	was not permissible.	12	did anybody from FICO suggest that the use or
13	Q So if you just walk through the	13	installation of Blaze in the United Kingdom was
14	process of why there was a statement of work	14	outside the scope of the sales force license
15	and how that was proposed, just the timeline.	15	agreement?
16	A So, what will happen is we will	16	A No.
17	get a request from the business asking us if	17	MR. FLEMING: Okay, I have no
18	to put together the SOW.	18	further questions.
19	I would contact FICO to arrange	19	
20	that, and it is practice at Chubb that the	20	CONTINUED EXAMINATION BY
21	business also contacts FICO to go over what	21	MS. KLIEBENSTEIN:
22	their requirements are so the two of them can	22	
	D 225		D
1	Page 235 agree.	1	Page 237 Q So the event you were just
2	I'm on some of those calls and	2	talking about, when did this occur?
3	not on some of those calls.	3	A 2011, yes, 2011 or 2012; I
4	Then what we do is we take what	4	believe it was 2011.
5	has been agreed and put it into a statement of	5	Q Were you in the United
6	work and ensure that statement of work is	6	Kingdom
7	correct, including what's going to be delivered	7	A No.
8	and the deliverables, and from there it gets	8	Q when the work was being done?
9	signed.	9	A No.
10	Q And then what happens next?	10	Q So when you are talking about
11	A Then the SOW goes to the	11	the installation and the assessment, you
12	business partner for them to work on, so they	12	weren't personally there?
13	contact FICO and the consultants go to wherever	13	A No, that was managed by the
14	they need to go.	14	business.
15	Q And did you understand that two	15	Q And how did you come across that
16	FICO representatives went to London?	16	knowledge?
17	A Yes, that was outlined in the	17	A In the statement of work that
18	SOW.	18	was signed off by two by both companies as
19	Q And what was your understanding	19	to what was going to be delivered, and then
20	of what did they do in London?	20	before payment, I validated that it happened.
21	A They were the architects that	21	Q So these were tasks that were
22	helped with the assessment, and then also we	22	outlined in the statement of work?
44			

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY TAMRA PAWLOSKI - 01/18/2019 Pages 238..241

	TAPIKA FAWIOSKI		
1	A Correct.	1	involve?
2	Q A written statement of work?	2	A This one was a CPI print
3	A Yes.	3	application.
4	Q Do you know if that statement of	4	Q That's the name for it?
5	work has been produced in this lawsuit?	5	A Yes, I believe that was I
6	A I don't know.	6	knew it had to do something with print.
7	I know it wasn't one of the ones	7	Q Do you know one way or the other
8	that you have shown me.	8	whether Blaze Advisor was installed on servers
9	Q Did anyone from Chubb & Sons	9	in the United Kingdom pursuant to this
10	check with legal to make sure that what was	10	statement of work?
11	going to happen well, was the SOW Chubb &	11	A Yes.
12	Sons' standard SOW?	12	Yes, it was installed, because
13	A It was.	13	they gave me validation when we were paying the
14	Q So it wouldn't have gone to	14	invoice.
15	Chubb & Sons' legal?	15	Q What was that validation?
16	A That's correct.	16	A That the deliverables outlined
17	Q Do you know whether it went	17	in that SOW were completed.
18	through FICO's legal department?	18	Q Who gave that you validation?
19	A I do not know.	19	A The project manager.
20	Q Do you know if Mr. Schreiber	20	Q And who is the project manager?
21	checked with FICO legal?	21	A I don't remember.
22	A I do not, no.	22	MS. KLIEBENSTEIN: All right, I
	Page 239		Page 241
1	Q You mentioned briefly you don't	1	don't have any further questions.
2	recall any discussions with respect to this	2	MR. FLEMING: Nothing further.
3	statement of work as to whether it was okay	3	We will read and sign.
4	under the agreement, correct?	4	THE VIDEOGRAPHER: The time is
5	A Yeah, I don't recall.	5	3:58 p.m. and we are going off the
6	Q But there weren't you don't	6	record.
7	recall discussions one way or the other,	7	
8	whether this was or was not okay?	8	
9	A That's correct, I don't recall.	9	
10	Q And so what was your role with	10	
11	respect to this statement of work?	11	
12	A I helped to draft it on to the	12	
13	template and work it through the process that	13	
14	we have outlined, that I have outlined a couple	14	
15	of times already.	15	
16	So, getting it through to	16	
17	signature, making sure everybody was agreed	17	
18	with what the business terms were in the SOW,	18	
19	agree with the pricing, and got a final	19	
20 21	signature approval for it.	20	
22	Q And what application what	21	
22	software application did the statement of work	22	
		-	